

Senate File 58 - Introduced

SENATE FILE 58

BY J. TAYLOR

A BILL FOR

1 An Act relating to students who are pregnant or who recently
2 gave birth who attend state institutions of higher education
3 governed by the board of regents and community colleges.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 261J.1 Student parents at
2 institutions.

3 1. For the purposes of this section:

4 a. "Institution" means an institution of higher education
5 governed by the state board of regents or a community college
6 established under chapter 260C. "Institution" also includes
7 the faculty, staff, and other employees of such institution of
8 higher education or community college established under chapter
9 260C.

10 b. "Reasonable accommodations" includes but is not limited
11 to all of the following:

12 (1) Taking additional health and safety measures.

13 (2) Allowing a student to reschedule tests and assignment
14 due dates that are missed for reasons related to the student's
15 pregnancy.

16 (3) Allowing a student to take a leave of absence.

17 (4) Excusing absences for reasons deemed medically
18 necessary due to the pregnancy.

19 2. An institution shall not require a student enrolled
20 in a course of study or research activity to take a leave
21 of absence, withdraw from a program, or limit the student's
22 participation in academic activities solely due to pregnancy.
23 An institution shall make reasonable accommodations to a
24 pregnant student to allow the student to complete a course of
25 study or research.

26 3. a. An institution shall allow a student who is pregnant
27 or has recently given birth an additional amount of time to
28 take examinations up to the longer of a period consistent with
29 the policies of the institution or twelve months from the
30 originally scheduled examination date, unless a longer period
31 is medically necessary.

32 b. An institution shall allow a student who is pregnant
33 or has recently given birth an additional amount of time to
34 complete a degree or candidacy for a degree up to the longer
35 of a period consistent with the policies of the institution

1 or twelve months from the date originally scheduled for
2 completion, unless a longer period is medically necessary.

3 4. *a.* An institution shall allow a student who is pregnant
4 or has recently given birth a period of up to twelve months to
5 take a leave of absence unless there is a medically necessary
6 reason for a longer leave of absence. Following the leave
7 of absence, the student shall be allowed to return to the
8 student's program with the same standing as the student left to
9 the degree reasonably possible.

10 *b.* If a student who is residing in student housing through
11 the institution elects to take a leave of absence pursuant to
12 paragraph "a", the institution shall allow the student to reside
13 in student housing during the student's leave of absence.

14 5. *a.* The attorney general shall maintain a system to
15 receive and investigate complaints from students alleging a
16 violation of this section.

17 *b.* The attorney general shall forward complaints it
18 has determined as founded to the United States department
19 of education's office for civil rights to allow for an
20 investigation into the institution's compliance with the
21 federal Higher Education Act of 1965, as amended, 20 U.S.C.
22 §1681 et seq.

23 6. An institution shall do all of the following:

24 *a.* Maintain a written policy for students on pregnancy
25 discrimination and procedures for addressing pregnancy
26 discrimination complaints under this section and the federal
27 Higher Education Act of 1965, as amended, 20 U.S.C. §1681 et
28 seq. The institution shall provide a copy of the policy to
29 institution faculty, staff, and employees in required training.
30 The institution shall provide a copy of the policy to all
31 students attending orientation at the institution.

32 *b.* Prominently post notice of the protections afforded to
33 pregnant students and students who have recently given birth
34 under the federal Higher Education Act of 1965, as amended, 20
35 U.S.C. §1681 et seq., on the institution's internet site.

1 c. Provide information concerning the protections afforded
2 to pregnant students and students who have recently given birth
3 under the federal Higher Education Act of 1965, as amended, 20
4 U.S.C. §1681 et seq., through the institution's medical center
5 and student health center to a student upon the student's
6 request and when otherwise appropriate.

7 d. Assign responsibility for pregnancy and parenting support
8 and protection to a staff member of the institution. The
9 institution shall post the responsible staff member's name,
10 title, and contact information on the institution's internet
11 site. Responsibilities assigned to a staff member pursuant to
12 this paragraph shall include but not be limited to:

13 (1) Maintaining current knowledge of the provisions of this
14 section.

15 (2) Overseeing institution compliance with this section.

16 (3) Understanding and publicizing topics related to
17 pregnancy and parenting, including but not limited to child
18 care availability, breastfeeding accommodations, and pregnancy
19 and parenting assistance from public and private providers, in
20 order to enhance campus life and academic performance.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 This bill relates to students who are pregnant or who
25 recently gave birth who attend state institutions of higher
26 education governed by the board of regents.

27 The bill defines the term "institution" as an institution of
28 higher education governed by the state board of regents or a
29 community college. "Institution" also includes the faculty,
30 staff, and other employees of such institution of higher
31 education or community college.

32 The bill defines "reasonable accommodations" as including
33 but not being limited to taking additional health and safety
34 measures; allowing a student to reschedule tests and assignment
35 due dates that are missed for reasons related to the student's

1 pregnancy; allowing a student to take a leave of absence; and
2 excusing absences for reasons deemed medically necessary due
3 to the pregnancy.

4 The bill prohibits an institution from requiring a student
5 enrolled in a course of study or research activity to take
6 a leave of absence, withdraw from a program, or limit the
7 student's participation in academic activities solely due to
8 pregnancy.

9 The bill requires an institution to make reasonable
10 accommodations to a pregnant student to allow the student to
11 complete a course of study or research.

12 The bill requires an institution to allow a student who is
13 pregnant or has recently given birth an additional amount of
14 time to take examinations, complete a degree, or complete a
15 candidacy for a degree up to the longer of a period consistent
16 with the policies of the institution or 12 months from the date
17 originally scheduled for examination or completion, unless a
18 longer period is medically necessary.

19 The bill requires an institution to allow a student who
20 is pregnant or has recently given birth a period of up to 12
21 months to take a leave of absence unless there is a medically
22 necessary reason for a longer leave of absence. Following the
23 leave of absence, the student shall be allowed to return to
24 the student's program with the same standing and manner as the
25 student left to the degree reasonably possible.

26 The bill allows a student who is residing in student housing
27 through the institution that elects to take a leave of absence
28 due to pregnancy or recent birth to reside in student housing
29 during the student's leave of absence.

30 The bill requires the state attorney general to maintain
31 a system to receive and investigate complaints from students
32 alleging a violation relating to pregnancy and recent birth
33 accommodations.

34 The bill requires the attorney general to forward complaints
35 it has determined as founded to the United States department

1 of education's office for civil rights to allow for an
2 investigation into the institution's compliance with the
3 federal Higher Education Act of 1965.

4 The bill requires an institution to maintain a written
5 policy for students on pregnancy discrimination and procedures
6 for addressing pregnancy discrimination complaints under this
7 Code section and the federal Higher Education Act of 1965. The
8 institution must provide a copy of the policy to institution
9 faculty, staff, and employees in required training and to all
10 students attending orientation at the institution.

11 The bill requires an institution to prominently post
12 notice of the protections afforded to pregnant students and
13 students who have recently given birth under the federal Higher
14 Education Act of 1965 on the institution's internet site.

15 The bill requires an institution to provide information
16 concerning the protections afforded to pregnant students and
17 students who have recently given birth under the federal
18 Higher Education Act of 1965, as amended, 20 U.S.C. §1681 et
19 seq., through the institution's medical center and student
20 health center to a student upon the student's request and when
21 otherwise appropriate.

22 The bill requires an institution to assign responsibility
23 for pregnancy and parenting support and protection to a staff
24 member of the institution. The institution must post the
25 responsible person's name, title, and contact information
26 on the institution's internet site. The responsibilities
27 assigned to the staff member include but are not limited to
28 maintaining current knowledge of Code provisions relating to
29 accommodations afforded to pregnant students and students
30 who recently gave birth; overseeing institution compliance
31 with Code provisions relating to accommodations afforded to
32 pregnant students and students who recently gave birth; and
33 understanding and publicizing topics related to pregnancy
34 and parenting, including but not limited to child care
35 availability, breastfeeding accommodations, and pregnancy and

1 parenting assistance from public and private providers, in
2 order to enhance campus life and academic performance.